

## PATENT COOPERATION TREATY

**PCT**

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference PALGE03931	<b>FOR FURTHER ACTION</b>		See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)
International application No. <b>PCT/KR2003/002055</b>	International filing date (day/month/year) <b>06 OCTOBER 2003 (06.10.2003)</b>	Priority date (day/month/year) 20 DECEMBER 2002 (20.12.2002)	
International Patent Classification (IPC) or national classification and IPC <b>IPC7 H02K 41/025, H02P 7/01, F04B 49/06, F25B 1/02</b>			
Applicant <b>LG ELECTRONICS INC. et al</b>			

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 3 sheets, including this cover sheet.

This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of \_\_\_\_\_ sheets.

3. This report contains indications relating to the following items:

- I  Basis of the report
- II  Priority
- III  Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV  Lack of unity of invention
- V  Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI  Certain documents cited
- VII  Certain defects in the international application
- VIII  Certain observations on the international application

Date of submission of the demand <b>29 JUNE 2004 (29.06.2004)</b>	Date of completion of this report <b>12 APRIL 2005 (12.04.2005)</b>
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**INTERNATIONAL PRELIMINARY EXAMINATION REPORT**

International application No.

PCT/KR2003/002055

**I. Basis of the report**

**1. With regard to the elements of the international application:\***

the international application as originally filed

the description:

pages \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_

the claims:

pages \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, as amended (together with any statement) under Article 19  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_

the drawings:

pages \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_

the sequence listing part of the description:

pages \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_

**2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.**

These elements were available or furnished to this Authority in the following language \_\_\_\_\_ which is

the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).

the language of publication of the international application (under Rule 48.3(b)).

the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

**3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:**

contained in the international application in written form.

filed together with the international application in computer readable form.

furnished subsequently to this Authority in written form.

furnished subsequently to this Authority in computer readable form

The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

**4.  The amendments have resulted in the cancellation of:**

the description, pages \_\_\_\_\_

the claims, Nos. \_\_\_\_\_

the drawings, sheets \_\_\_\_\_

**5.**

This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).\*\*

\* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed." and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

\*\* Any replacement sheet containing such amendments must be referred to under item I and annexed to this report.

**INTERNATIONAL PRELIMINARY EXAMINATION**

International application No.

PCT/KR2003/002055

**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement****1. Statement**

Novelty (N)	Claims	1-10	YES
	Claims	None	NO
Inventive step (IS)	Claims	None	YES
	Claims	1-10	NO
Industrial applicability (IA)	Claims	1-10	YES
	Claims	None	NO

**2. Citations and explanations (Rule 70.7)**

Reference is made to the following documents:

D1: US 4332528

D2: JP8-303920

**Novelty**

Neither D1 nor D2 describes a control unit for generating a control signal for selecting a main winding coil of a linear motor of a compressor or an auxiliary winding coil on the basis of load capacity.

Claims 1-10 are new and the said claimed inventions are novel since the said control unit can't be anticipated by the prior art. Consequently claims 1-10 comply with Article 33(2) PCT.

**Inventive step**

For claims 1 and 8: Neither D1 nor D2 describes the said control unit in this invention but D1 describes a pressure sensitive switch which is arranged to connect or disconnect the additional field winding from the main field winding in response to a predetermined pressure level in the housing and controls the switching arm. So claim 1 would be obvious to a skilled person and the invention of claim 1 is not considered to involve an inventive step. Consequently claim 1 do not fulfil the requirements of Article 33(3) PCT. The same reasoning applies to Claim 8, too.

For claim 2: Although it is not explicitly specified in D1 and D2 that the said control unit generates the control signal when a voltage applied to the linear motor is varied, it could be derived by a person skilled in the art, if necessary, by a simple design change or repeated experiments, when to generate a control signal. So claim 1 would be obvious to a skilled person and the invention of claim 2 is not considered to involve an inventive step, either. Therefore, claim 2 does not fulfil the requirements of Article 33(3) PCT.

For claims 3-5, 9 and 10: Although it is not explicitly described in D1 and D2 that the load capacitor is determined based on inside temperature of the refrigerator or ambient temperature, D2 describes a control device of a refrigerator which controls the operation and stoppage of a compressor by a set temperature internal of a temperature detector in a refrigerating chamber. So claim 3 would be obvious to a skilled person by the combination of D1 and D2, so the invention of claim 3 is not considered to involve an inventive step. In conclusion, claim 3 does not fulfil the requirements of Article 33(3) PCT , but claims 2-13 comply with Article 33(3) PCT. The same reasoning applies to the Claims 4,5,9 and 10.

**Industrial applicability**

Claims 1-13 fulfil the requirements of Article 33(4) PCT.